

## REMARKS

This amendment is being filed in response to an Office Action mailed 10/17/2005, in which the Examiner the that claims 1-30 were pending but rejected. Claims 31-36 have previously been rejected. In this amendment, claims 1-30 are canceled, and new claims 37-62 are added.

### Claims Rejected under 35 USC §112

In the above-mentioned Office Action, the Examiner the that claims 1-30 were rejected under 35 USC §112, second paragraph, because the term "similar" was included in claims 1, 11, 13, and 26 without being defined by the claim. In this amendment, claims 1-30 are canceled.

### Claims Rejected under 35 USC §103

In the above-mentioned Office Action, the Examiner additionally the that claims 1-30 were rejected under 35 USC §103(a), with claims 1-4, 13-19, and 25-28 being rejected as unpatentable over U.S. Pat. No. 6,026,616 to *Gafken* in view of U.S. Pat. No. 6,088,759 to *Hasbun et al.*, with claims 5, 6, 20-21, and 33 (Sic.) being rejected under *Gafken* in view of *Hasbun et al.* and further in view of *Menezes et al* ("Handbook of Applied Cryptography"), and with claims 7, 8, 11, 22, 23, and 29 being unpatentable over the combination of *Gafken* and *Hasbun et al.* in view of U.S. Pat. App. Pub. No. 2001/0039651 A1 to *Hayashi et al.*, and with claims 9, 10, 24-25, 30-32, and 34-35 (Sic.) being rejected under a combination of *Gafken*, *Hasbun et al.*, and *Hayashi et al.*, further in view of *Menezes et al.* In this amendment claims 1-30 are canceled, with claims 31-36 having been previously canceled.

### New Claims

In this amendment a number of new claims are added to particularly describe the

Applicant's invention in terms of its differences from the prior art cited by the Examiner.

**Regarding claim 37**, this new claim requires:

5 A method for providing a capability to securely update information stored in a plurality of computer systems, wherein the method comprises:

forming a protected partition within a hard drive of each of the computer systems

10 storing, within nonvolatile storage of each computer system in the plurality of computer systems, a setup password, an operating system, and an initialization routine to execute within a processor of the computer system after power on of the computer system, wherein the initialization routine includes instructions causing the protected partition to be locked before the operating system is loaded, and wherein instructions causing information stored within the  
15 predetermined location to be written within the protected partition after predetermined security procedures using the setup password have occurred but before the protected partition is locked;

establishing a network connecting each computer system in the plurality of computer systems with a server system;

20 generating a file update partition within the server system;

transmitting the a file update partition over the network to each computer system in the plurality of computer systems; and

storing the a file update partition within the predetermined location of each computer system in the plurality of computer systems

25 Support for this new claim is found in the specification as originally filed on page 10, lines 1-15, on page 12, lines 12-37, on page 14, lines 6-14, and on page 16, lines 11-25.

30 This new claim is believed to be patentable over the prior art cited by the

Examiner because none of the prior art teaches or otherwise anticipates requirements for a protected partition to be established within a hard drive, for data to be written to be included within the protected partition, or for a network to be set up to accomplish this, with Gafken and Hasbun et al. instead describing solutions to writing to flash memory chips and the like, that are used to store BIOS instructions, thus teaching against setting up a protected partition in a hard drive in the manner of the invention. Menezes et al. is relied upon for teaching basic principles of cryptography, but does not teach the application of such principles in the manner of the Applicants' invention. Hayashi et al. is relied upon for teaching breaking a message into parts that are encrypted and decrypted separately, but not the establishment of a protected partition in an hard drive or its updating, as described in claim 37.

**Regarding claim 38**, this new claim is added to require comparing the file update partition with data within the protected partition, and to replace matching portions if they fit, or to append non-matching portions. Support for this new claim is found in the specification as originally filed on page 17, line 17, through page 18, line 20. Since this new claim merely adds limitations to claim 37, this new claim is believed to be patentable over the prior art cited by the Examiner for reasons advanced above regarding claim 37.

**Regarding claim 50**, this new claim requires:

An interconnected system for providing updated information in a secure manner, wherein the interconnected system comprises:

a network;

a server system connected to the network and programmed to generate an update partition information and to transmit the update partition information over the network; and

a computer system connected to the network, wherein the computer system includes a processor, non-volatile data storage including a hard drive

having a protected partition, wherein the processor is programmed to receive the update partition information from the network and to store the update partition information in a predetermined location within the nonvolatile storage outside the protected partition, and wherein the nonvolatile data storage stores an operating system and an initialization routine, executing within the processor after power on of the computer system, including instructions causing the protected partition to be locked before the operating system is loaded, and instructions causing information stored within the predetermined location to be written within the protected partition after predetermined security procedures have occurred but before the protected partition is locked.

Support for this new claim is found in the specification as originally filed on page 10, lines 1-15, and on page 14, lines 6-14.

This new claim is believed to be patentable over the prior art cited by the Examiner because none of the prior art teaches or otherwise anticipates requirements for a computer system including a hard drive having a protected partition and a system for generating a file update partition within a server system to update data within the protected partition, with Gafken and Hasbun et al. instead describing solutions to writing to flash memory chips and the like, that are used to store BIOS instructions, thus teaching against setting up a protected partition in a hard drive in the manner of the invention. Menezes et al. is relied upon for teaching basic principles of cryptography, but does not teach the application of such principles in the manner of the Applicants' invention. Hayashi et al. is relied upon for teaching breaking a message into parts that are encrypted and decrypted separately, but not the establishment of a protected partition in an hard drive or its updating, as described in claim 37.

**Regarding claim 51**, this new claim is added to require comparing the file update partition with data within the protected partition, and to replace matching

portions if they fit, or to append non-matching portions. Support for this new claim is found in the specification as originally filed on page 17, line 17, through page 18, line 20. Since this new claim merely adds limitations to claim 50, this new claim is believed to be patentable over the prior art cited by the Examiner for reasons advanced above regarding claim 50.

**Regarding dependent claims 39-49 and 52-62**

Dependent claims 39-49 add the limitations of claims 2-12, respectively, to the limitations of new claim 37, and are believed to be patentable over the prior art cited by the Examiner for reasons advanced above regarding claim 27.

Dependent claims 52-62 add the limitations of claims 2-12, respectively, to the limitations of new claim 50, and are believed to be patentable over the prior art cited by the Examiner for reasons advanced above regarding claim 50.

Support for claims 39 and 52 is found in the specification as originally filed on page 14, lines 14-17, and page 16, lines 11-13. Support for claims 40 and 53 is found on page 16, line 15, through page 17, line 8. Support for claims 41, 42, 54 and 55 is found on page 16, lines 21-23. Support for claims 43 and 56 is found on page 16, lines 21-28. Support for claims 44 and 57 is found on page 19, lines 6-11. Support for claims 45 and 58 is found on page 16, lines 21-23. Support for claims 46 and 59 is found on page 16, lines 24-46. Support for claims 47 and 60 is found on page 16, lines 19-26. Support for claims 48 and 61 is found on page 11, lines 24-26. Support for claims 49 and 62 is found on page 15, lines 19-24.

**Conclusions**

The Applicants respectfully submit that the application, including claims 37-62 is now in condition for allowance, and that action is respectfully requested.

5      Respectfully submitted,

*Ronald V. Davidge*

Ronald V. Davidge

10      Registration No. 33,863

Telephone No. 954-344-9880

January 17, 2006

15